

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

DOMINGUS NOBREGA,)
)
Plaintiff,)
)
v.) 2:20-cv-00302-JDL
)
YORK COUNTY SHERIFF, et al.,)
)
Defendants.)

**ORDER ACCEPTING THE RECOMMENDED DECISION OF THE
MAGISTRATE JUDGE**

Domingus Nobrega, who is proceeding pro se, filed this action in Maine state court alleging that York County's Sheriff, jail administrators, and jail chaplain, and the Maine Department of Corrections, violated his rights under the United States and Maine Constitutions (ECF No. 3-2). On August 19, 2020, the case was removed to this Court (ECF No. 1), along with a motion to dismiss that had been filed by the Maine Department of Corrections (ECF No. 4).¹ Nobrega subsequently filed an objection to removal and a motion requesting that the case be remanded to state court (ECF Nos. 5, 7).

On November 16, 2020, United States Magistrate Judge John C. Nivison submitted a Recommended Decision on the pending objection and motions (ECF No. 11), pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2021) and Fed. R. Civ. P. 72(b). The time within which to file objections to the Recommended Decision has expired, and

¹ The Department of Corrections filed its motion to dismiss in state court on August 10, 2020, and the motion was filed on the docket in this Court on August 19.

no objections have been filed. The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal.

I have reviewed and considered the Recommended Decision, together with the entire record, and have made a *de novo* determination of all matters adjudicated by the Magistrate Judge. I concur with the recommendations of the Magistrate Judge for the reasons set forth in his Recommended Decision and determine that no further proceeding is necessary.

After the Magistrate Judge submitted his Recommended Decision, Nobrega filed a motion to amend the complaint (ECF No. 13), as well as a renewed motion to dismiss and remand the matter to state court (ECF No. 18). Those filings have been referred to the Magistrate Judge and are not addressed by this Order.

It is therefore **ORDERED** that the Recommended Decision (ECF No. 11) of the Magistrate Judge is hereby **ACCEPTED**. The Maine Department of Corrections' Motion to Dismiss (ECF No. 4) is **GRANTED**. Nobrega's Objection to Removal (ECF No. 5) and Motion to Remand (ECF No. 7) are **DENIED**.

SO ORDERED.

Dated this 24th day of March, 2021

/s/ JON D. LEVY
CHIEF U.S. DISTRICT JUDGE